

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference JOHNSON4.2-1	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/US04/29728	International filing date (day/month/year) 10 September 2004 (10.09.2004)	Priority date (day/month/year) 26 September 2003 (26.09.2003)	
International Patent Classification (IPC) or national classification and IPC IPC(7): A63B 53/02(2006.01),53/06(2006.01),53/16(2006.01) USPC: 473/313,246,341,328,334,335,339,325,330,241,244,248,251			
Applicant JOHNSON, LANNY L			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:

a. ☐ (sent to the applicant and to the International Bureau) a total of ___ sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand

15 April 2005 (15.04.2005)

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Date of completion of this report

17 February 2006 (17.02.2006)

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US04/29728

Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed.
- ☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished
- ☒ the description:
- pages 1-39 as originally filed/furnished
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☒ the claims:
- pages 40-47 as originally filed/furnished
- pages* NONE as amended (together with any statement) under Article 19
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☒ the drawings:
- pages 1/18-18/18 as originally filed/furnished
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to the sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to the sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US04/29728

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-29</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>4 and 19</u>	YES
	Claims <u>1-3, 5-18, and 20-29</u>	NO
Industrial Applicability (IA)	Claims <u>1-29</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and Explanations (Rule 70.7)

Please See Continuation Sheet

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

V. 2. Citations and Explanations:

Claims 1-3, 5-7, 8-9, 11-12, 14, 16-18, 20-21, and 25-26 lack an inventive step under PCT Article 33(3) as being obvious over 8-150233 in view of Jacobson. 8-150233 discloses a first linear edge able to align to a ball along a horizontal plane (Fig. 3), a striking face curved with a radius of curvature less than a radius of a ball (Fig. 2b), a face able to strike a ball at, above or below a median of a ball (Fig. 4), a runner (Ref. No. 3), a shaft is mounted adjacent the first linear edge (Fig. 5), a striking face is less than about 6.4 mm thick between the sides to define the first linear edge (English Abstract), and a bottom of a head provided with a convexly rounded circular protrusion as a runner (Fig. 5). 8-1500233 does not disclose the runner being a semi-sphere but clearly an artisan skilled in the art of using a sphere shape as a runner would have selected a suitable sphere shape in which a semi-sphere shape is included. 8-150233 lacks a shaft with a grip at a proximal end, a head being metal, and a runner being semi-circular. Jacobson discloses a grip at a proximal end of a shaft (17), a head being metal (Col. 3, Lns. 3-12) and runners being semi-circular (Fig. 4). In view of the patent of Jacobson it would have been obvious to modify the putter of 8-150233 to have a grip at a proximal end in order to provide comfort to a players hands while gripping a shaft. In view of the patent of Jacobson it would have been obvious to modify the putter of 8-150233 to have a head being metal in order to maximize the amount of weight and transfer of energy at impact. In view of the patent of Jacobson it would have been obvious to modify the putter of 8-150233 to have a runner being semi-circular in order to be able to rest the head on the ground closer to the median of a golf ball.

Claims 10 and 15 lack an inventive step under PCT Article 33(3) as being obvious over the prior art as applied in the immediately preceding paragraph and further in view of Reynolds. JP 8-150233 lacks weights mounted on a head and a shaft mounted at a center of top side of a blade. Reynolds discloses weights mounted to a head in order to balance a head (Col. 3, Lns. 61-68) and a shaft mounted at a longitudinal center between a toe and heel of a head (Fig. 2). In view of the patent of Reynolds it would have been obvious to modify the head of 8-150233 by having weights mounted on a head in order to balance a head to fit a golfer with a specific stroke. In view of the patent of Reynolds it would have been obvious to modify the head of 8-150233 by having a shaft mounted at a longitudinal center of top side of a blade between a toe and heel of a head in order to prevent a shaft experiencing torques during impact due to a ball not being aligned with a shaft axis.

Claim 13 lacks an inventive step under PCT Article 33(3) as being obvious over the prior art as applied in a preceding paragraph and further in view of 7-275412. JP 8-150233 lacks a blade being metal with a top and bottom sides being non-metal. 7-275412 discloses a blade being metal with a top and bottom sides being non-metal ([0009], Fig. 10, page 4 reference 7 description). In view of the reference

Supplemental Box

of 7-275412 it would have been obvious to modify the head of 8-150233 to have a blade being metal with a top and bottom sides being non-metal in order have a hard face with light weight head overall.

Claims 22-24 lack an inventive step under PCT Article 33(3) as being obvious over D303,825 in view of Reynolds. D303,825 lack an attaching means for securing a blade to a head of a putter. Reynolds discloses an attaching means for securing a blade to a head of a putter (figure 2). In view of the patent of Reynolds it would have been obvious to modify the head of D303,825 to have an attaching means for securing a blade to a head of a putter in order to allow a golfer to stand erect when putting.

Claims 27-29 lack an inventive step under PCT Article 33(3) as being obvious over 8-150233 in view of Fisher, Reach and Reynolds. 8-150233 lacks an attaching means for pivotably attaching a head to a shaft, removable weights connected to a head at opposed ends of a blade, and an adjustable runner attached to a bottom of a flat blade. Fisher discloses attaching means for pivotably attaching a head to a shaft (Fig. 2). In view of the patent of Fisher it would have been obvious to have attaching means for pivotably attaching a head to a shaft in order to have a putter where the lie is able to be adjusted for a putter. Reach discloses an adjustable runner attached to a bottom of a flat blade in order to adjust the bottom of a head to fit the needs of a specific golfer (Page 4, Lns. 55-75). In view of the patent of Reach it would have been obvious to modify the head of 8-150233 to have an adjustable runner attached to a bottom of a flat blade in order to adjust the bottom of a head to fit the needs of a specific golfer. Reynolds discloses removable weights connected to a head at opposed ends of a blade (Col. 3, Lns. 61-68). In view of the patent of Reynolds it would have been obvious to modify the head of 8-150233 to have removable weights connected to a head at opposed ends of a blade in order to balance of head for a specific golfer's needs.

Claims 4 and 19 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a single groove in addition to the other elements of structure claimed.

Claims 1-29 meet the criteria set out in PCT Article 33(4), and thus meets industrial applicability because the subject matter claimed can be made or used in industry as playing the sport of golf.